



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Edwin S. Flores
Chalker Flores, LLP
2711 LBJ Freeway, Suite 1036
Dallas, TX 75234

COPY MAILED

MAY 23 2006

OFFICE OF PETITIONS

In re Application of	:	
SIRBASKU	:	DECISION ON PETITION
Application No.: 09/852,958	:	
Filed: May 10, 2001	:	UNDER 37 CFR 1.137(b)
Attorney Docket No.: BTHO:1006	:	

This is a decision on the petition under 37 CFR 1.137(b), filed December 27, 2005 to revive the above-entitled application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a proper reply in a timely manner to the non-final Office action mailed March 03, 2005, which set a shortened statutory period for reply of three (3) months. While a reply was filed on May 27, 2005, that reply was not proper as indicated by the Notice of Abandonment mailed October 19, 2005. A Notice of Appeal was not filed. Accordingly, by operation of law, the above-identified application became abandoned on June 04, 2005.

The present petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a response to the Office action mailed March 03, 2005; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Office action of March 03, 2005 is accepted as having been unintentionally delayed.

The application file is being referred to Technology Center AU 1642.

Telephone inquiries concerning this decision should be directed to the undersigned.

Derek A. Putonen
Attorney Advisor
(571) 272-3294